

Amendments to the Claims:

Claims 1-33 are pending in this application. Claims 1, 21, 28-30 and 32 are independent.

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1 (CURRENTLY AMENDED) An apparatus comprising:

(A) a photo-receiving device that receives light from an object and converts the light into an image signal; and

(B) a focus adjusting device that forms a first focus ~~adjusting signal by performing a predetermined integration operation on~~ evaluation value by integrating a predetermined frequency component of the image signal obtained by said photo-receiving device and forms a second focus ~~adjusting signal~~ evaluation value, different from said first focus ~~adjusting signal, from~~ evaluation value, by detecting a peak value of [[a]] the predetermined frequency component of the image signal obtained by said photo-receiving device, ~~said focus adjusting device applying at least~~ and performs a focus adjusting operation by selectively using one of said first and second focus ~~adjusting signals to focus adjustment~~ evaluation values on the basis of a luminous state of the ~~object~~ image signal,

wherein the selectively used first or second focus evaluation value becomes larger as an image of the object approaches to a focused state.

2 (ORIGINAL): The apparatus according to claim 1, wherein said predetermined frequency component is a frequency component on a predetermined high frequency side.

3 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device judges the state of the luminous State of the object on the basis of the image signal obtained by said photo-receiving device.

4 (CURRENTLY AMENDED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus ~~adjusting signals~~ evaluation values to the focus adjustment on the basis of a luminous distribution state of the object.

5 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device applies said second focus adjusting signal to the focus adjustment in a case there an object image is judged as a peak image on the basis of the luminous state of the object.

6 (ORIGINAL): The apparatus according to claim 5, wherein said focus adjusting device applies said first focus adjusting signal to the focus adjustment in a case where an object image is not judged as a peak image on the basis of the luminous state of the object.

7 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device applies said first focus adjusting signal to the focus adjustment in a case where an object image is not judged as a peak image on the basis of the luminous state of the object.

8 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said first focus adjusting signal by integrating a predetermined peak value of Said predetermined frequency component of the image signal obtained by said photo-receiving device.

9 (ORIGINAL): The apparatus according to claim 8, wherein said focus adjusting device forms said second focus adjusting signal by obtaining said peak value without performing said predetermined integration operation on said predetermined frequency component of the image signal obtained by said photo-receiving device.

10 (ORIGINAL): The apparatus according to claim 8, wherein said focus adjusting device forms said second focus adjusting signal from a peak value of the predetermined frequency component of the image signal obtained by said photo-receiving device.

11 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said second focus adjusting signal by obtaining said peak value without performing said predetermined integration operation on the predetermined frequency component of the image signal obtained by said photo-receiving device.

12 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said second focus adjusting signal from a single peak value of a predetermined frequency component of the image signal obtained by said photo-receiving device.

13 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device judges the luminous state of the object on the basis of a peak value of luminance of the object and an average value of the luminance of the object.

14 (CURRENTLY AMENDED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus ~~adjusting signals~~ evaluation values to the focus adjustment in consideration of a state of a focal length.

15 (CURRENTLY AMENDED): The apparatus according to claim 14, wherein said focus adjusting device applies at least one of said first and second focus ~~adjusting signals~~ evaluation values to the focus adjustment in consideration of a state of an iris.

16 (CURRENTLY AMENDED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus ~~adjusting signals~~ evaluation values to the focus adjustment in consideration of a state of an iris.

17 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device changes a focus adjusting signal to be applied to the focus adjustment from said second focus adjusting signal to said first focus adjusting signal as depth of field is deepened by at least one of a focal length and an iris.

18 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises an image sensing apparatus.

19 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises a camera.

20 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises an optical device.

21 (CURRENTLY AMENDED): An apparatus comprising:

(A) a photo-receiving device for receiving light from an object; and

(B) a focus adjusting device performing an operation for focus adjustment, said focus adjusting device performing the focus adjusting operation selectively depending upon determination whether ~~or not an object image has a luminous state judged as a luminous state of~~ the light from the object belongs to a normal image or a peak image on the basis of a photo- ~~received signal from said photo-receiving device.~~

22 (CANCELLED):

23 (ORIGINAL): The apparatus according to claim 22, wherein said focus adjusting device forms a signal for the focus adjustment by detecting sharpness of an object image.

24 (ORIGINAL): The apparatus according to claim 21, wherein said focus adjusting device forms a signal for the focus adjustment by detecting sharpness of an object image.

25 (ORIGINAL): The apparatus according to claim 21, wherein said apparatus comprises an image sensing apparatus.

26 (ORIGINAL): The apparatus according to claim 21, wherein said apparatus comprises a camera.

27 (ORIGINAL): The apparatus according to claim 21, wherein said apparatus comprises an optical device.

28 (CURRENTLY AMENDED): A focus adjusting method comprising:

converting light from an object into an image signal, forming a first focus adjusting signal by performing a predetermined integration operation on evaluation value by integrating a predetermined frequency component of the image signal, forming a second focus adjusting signal evaluation value, different from said first focus adjusting signal, from evaluation value, by detecting a peak value of [[a]] the predetermined frequency component of the image signal, applying and selectively using at least one of said first and second focus adjusting signal evaluation values to focus adjustment thereby perform a focus adjusting operation on the basis of a luminous state of the ~~object~~ image signal,

wherein the selectively used first or second focus evaluation value becomes larger as an image of the object approaches to a focused state.

29 (CURRENTLY AMENDED): A focus adjusting method comprising:

receiving light from an object using a photo-receiving device; and
performing ~~an~~ a focus adjusting operation for focus adjustment selectively depending upon determination whether ~~or not an object image has a luminous state judged as a~~ luminous state of the light from the object belongs to a normal image or a peak image on the basis of a ~~photo-received signal of light of the object.~~

30 (CURRENTLY AMENDED): A computer-program product comprising code that, when executed, causes a computer to carry out the steps of:

converting light from an object into an image signal, forming a first focus
~~adjusting signal by performing a predetermined integration operation on~~ evaluation value by
integrating a predetermined frequency component of the image signal, forming a second focus
~~adjusting signal~~ evaluation value, different from said first focus ~~adjusting signal, from~~ evaluation
value, by detecting a peak value of ~~[[a]]~~ the predetermined frequency component of the image
signal, applying and selectively using at least one of said first and second focus ~~adjusting signal~~
evaluation values to focus adjustment thereby perform a focus adjusting operation on the basis of
a luminous state of the ~~object~~ image signal,

wherein the selectively used first or second focus evaluation value becomes larger
as an image of the object approaches to a focused state.

31 (ORIGINAL): The computer program product according to claim 30, wherein said
computer program product comprises a storage medium.

32 (CURRENTLY AMENDED): A computer program product comprising code that, when
executed, causes a computer to carry out the steps of:

receiving light from an object using a photo-receiving device; and
performing an a focus adjusting operation for focus adjustment selectively
depending upon determination whether ~~or not an object image has a luminous state judged as a~~

luminous state of the light from the object belongs to a normal image or a peak image on the
~~basis of a photo-received signal of light of the object.~~

33 (ORIGINAL): The computer program product according to claim 32, wherein said
computer program product comprises a storage medium.